

NO. 2:10-CV-5-FL

Defendant.


ORDER

In reviewing a motion pursuant to Rule 59(e) of the Federal Rules of Civil Procedure, a court should amend its earlier judgment for any of the following reasons: (1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or prevent manifest injustice. Hutchinson v. Station, 994 F.2d 1076, 1081 (4th Cir. 1993). Plaintiff does not specifically identify an alleged basis of amendment, but

offers no new evidence or argument regarding a change in controlling law; therefore, she apparently asserts that the court committed clear error in its earlier ruling.

Plaintiff seeks the court's reconsideration of its order upholding the Commissioner's final decision on two grounds set forth more specifically in plaintiff's motion. Having reviewed plaintiff's arguments, the relevant case law, and the facts in this case, the court determines its previous order contains no clear error and accordingly reaffirms its previous holding. Plaintiff's motion for reconsideration accordingly is DENIED.

SO ORDERED, this the 8th day of March, 2011.



LOUISE W. FLANAGAN
Chief United States District Judge